

# Improving Your Workplace Environment



**APWU**

Industrial Relations Department

**American Postal Workers Union, AFL-CIO**

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# DEAR APWU MEMBER,

Every worker has the right to a work environment free of harassment, hostility, and discrimination. Over many decades, postal management has failed to adequately address hostile work environments. It too often allows, enables, and covers up for abusive managers.

This educational brochure, produced by the APWU Industrial Relations Department, is offered to help arm you with your contractual and other rights in the continuing struggle to create a welcoming and safe work environment. It is a product of a collaborative effort of the APWU “Workplace Environment Committee,” a national committee made up of appointed local, state and national officers. The committee was established in July 2019 to help address concerns over hostile work environments. The APWU thanks the committee members for their important work.

The APWU encourages all postal workers to cooperate with each other to stop abuse and harassment. Write statements to back each other up. Stand united to tackle abusive managers, whether through grievances, filling out 1767s, petitions, marches on the boss and informational picketing. Always remember that an “Injury to One, is an Injury to All.”

We hope you find the enclosed information useful in the important and ongoing safety battle to improve our workplace environment.

In Solidarity,



Mark Dimondstein  
President



Charlie Cash  
Director, Industrial Relations

# EXAMPLES OF ABUSIVE CONDUCT

## Bullying

- Repeated, verbal, physical, or social behavior that intends to cause physical or psychological harm, whether by misusing power or perceived power over one or more persons.

## Intimidation

- Conduct meant to cause a person to do something by making them fear for their job, safety, or livelihood.

## Threats

- A statement or act that carries the intention to inflict harm or injury on any person, or on his or her property. Threats also include words or actions intended to intimidate another person or to interfere with the performance of his or her official duties (for example, standing in front of a corridor with a menacing posture and not permitting another person access to load a Postal Service vehicle).

## Harassment

- Unwelcomed behavior someone finds offensive and harmful, such as whistling or catcalling, sexual innuendos, following a person continually (stalking), offensive remarks, sexual advances.
- Productivity-based behavior that demands a certain quota, or a productivity-level demand that may lead to stress, anxiety, working unsafe, taking inappropriate shortcuts, or unwarranted discipline (Article 34 Work and Time Standards).
- Workplace harassment can include personal attacks, belittling comments to humiliate and embarrass, name-calling, racially derogatory comments, and using employees against each other (for example, a supervisor deliberately telling other employees about a person calling in as the reason they have to work alone or faster).
- Illegal harassment under Title 7 of the *Civil Rights Act*, the *Rehabilitation Act*, *Age Discrimination Act*, and/or other laws.

See page 9 for *USPS Handbook, Manual, and Publication References*.

# YOUR RIGHTS IF YOU EXPERIENCE ABUSIVE CONDUCT

- ✓ The right to a **safe and healthful workplace**.
- ✓ The right to expect **supervisors to maintain good employee relations**.
- ✓ The right to a **harassment-free work environment**.
- ✓ The right to be **free from intimidation, threats, or bullying** by anyone at any level.
- ✓ The right to **report inappropriate behavior** without reprisal.
- ✓ The right to have abusive behavior you report to be **promptly and properly investigated**.
- ✓ The right to **report any disturbances or improper actions** on the part of individuals while on postal premises.
- ✓ The right to use **PS-Form 1767** to make such reports.
- ✓ The right to **report such behavior to your shop stewards** in accordance with Article 14 and publication 552.
- ✓ The right to **file grievances** on inappropriate behavior as well as the right to **representation** in investigatory processes.
- ✓ The right to **file complaints** through other forums (e.g., EEO, Office of Inspector General, Postal Inspection Service, etc.).
- ✓ The right to **engage in concerted activity with your co-workers** in the fight to end hostile work environments.

## **Retaliation is Illegal for Exercising the Above Rights!**

Retaliation against an employee who raises a claim of harassment, reports inappropriate conduct, or provides evidence in an investigation is illegal and will not be tolerated. As a Postal Service employee, you need to understand that you are protected.

# ACTIONS YOU MAY TAKE

## REPORT IT! PURSUE IT! DON'T TOLERATE IT!

- 👉 **Tell the abuser to STOP**, preferably in the presence of a witness and/or a union representative.
- 👉 **Keep a written record** of incident dates, times, and all those involved and/or witnesses.
- 👉 **Report the misbehavior on a PS-Form 1767**. Make sure to include details of the incident (see page 10).
- 👉 **Report the abusive behavior** to another supervisor or higher-level manager.
- 👉 **Report the incident to someone you trust** (friend, trusted co-worker, family member, and/or union representative)
- 👉 **Report the incident to your union representative** for investigation, and follow through pursuant to the grievance/arbitration procedure.
- 👉 If behavior rises to the level of a *Civil Rights Act* Title VII violation, **file a discrimination complaint** through the EEO process.
- 👉 Pursuant to the PMG workplace harassment policy, **report the incident to the Office of Inspector General and/or Postal Inspection Service**.
- 👉 You may request that **management initiate an IMIP** (Initial Management Inquiry Process) as found in Publications 552/553 to investigate the situation.
- 👉 **Stand together with your co-workers** through petitions, class action grievances, meetings with the boss, and informational picketing.

# BE CAREFUL OF WHAT YOU SAY OR WRITE

-  *PS Form 1767*: If possible, **avoid the terms** “stress,” “anxiety,” or “hostile work environment.” These words may lead to unwarranted referral to medical assessment by management and also may have legal connotations.
-  When **contacting the OIG** stay away from any verbiage that may be misconstrued as threatening to yourself and/or other USPS personnel.
-  When contemplating **calling the police**, imminent threat or danger should be present.
-  **Be specific** about incident dates, times, people involved, and/or witnesses. As much as possible, cite applicable USPS regulations and policies.
-  Always **hold management accountable** for all workplace behavior, even if the behavior emanates from co-workers.
-  If the **IMIP** (Initial Management Inquiry Process—see Publication 552/553) is being utilized be aware this is a process conducted by management, for management, and about management.
-  **Seek union assistance** as necessary.
-  **Be factual and honest.** Avoid disparaging remarks and opinions about those involved.



Did you report the incident?  Yes  No

If So to Whom: \_\_\_\_\_

Did you tell the abuser to STOP  Yes  No

Did it stop?  Yes  No

Did you file a PS Form 1767  Yes  No

Date Filed \_\_\_\_\_

**If you have not done so, file one now and contact your steward!**

Whom did you file the PS Form 1767 with:

\_\_\_\_\_  
\_\_\_\_\_

Did you report through any other process (EEO, EAP, OIG, etc.)?

Yes  No

If so which process(es) and what is the status?

\_\_\_\_\_  
\_\_\_\_\_

Did you file a grievance?  Yes  No

Date Filed: \_\_\_\_\_

**If the issue is not abated, contact your steward and file a grievance.**

# RESOURCES AND REFERENCES

- ▶ Reprisal for Exercising Appeal Rights (ELM 666.17)
- ▶ Equal Opportunity Complaint Procedure (ELM 666.22 and 672.2)
- ▶ Employee's Guide to Understanding, Preventing, and Preventing Harassment (Publication 553)
- ▶ Employer's Guide to Understanding, Preventing, and Preventing Harassment (Publication 552)
- ▶ Reporting Conditions or Conduct (ASM\*\* 273.132)
- ▶ Maintaining Good Employee Relations/Safety Philosophy (ELM 811.24)
- ▶ Threat Assessment Team Guide (Publication 108)
- ▶ Right to Report Unhealthy Working Conditions Using PS Form 1767 (ELM 814.1)
- ▶ Calling Police in Emergency Situations (ASM 273.133)
- ▶ Employee Assistance Program 1-800-EAP-4-YOU (Publication 519)
- ▶ Postmaster General Workplace Harassment Policy
- ▶ Federal Sector Equal Employment Process ([www.eeoc.gov](http://www.eeoc.gov))
- ▶ Violent and/or Threatening Behavior (ELM\* 665.24)
- ▶ OSHA General Duty Clause Section 5(a)(1)
- ▶ Workplace Violence - Enforcement | Occupational Safety and Health Administration ([osha.gov](http://osha.gov))

\* ELM—Employee and Labor Relations Manual

\*\* ASM—Administrative Support Manual

For additional information and access to the references cited above, visit <https://apwu.org/fighting-workplace-harassment> or text **"HARASSMENT"** to **91990**

This pamphlet is only a guide. It is not all-encompassing and does not cover every situation or issue you may face in the workplace. It is not intended as legal advice but rather to provide a basic education on what you can do to address potential abusive conduct in the workplace management fails to address.

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